

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

IN RE:

Patricia L. Drake

Case No. 18-10097

Chapter 13

Judge Pamela S. Hollis

Debtor,

OBJECTION TO CONFIRMATION OF THE PLAN

NOW COMES Rushmore Loan Management Services as servicer for Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust (herein "Creditor"), by and through their attorney, Potestivo & Associates, P.C., and for their Objection to the Confirmation of the Chapter 13 Bankruptcy Plan filed for Debtor Patricia L. Drake (herein "Debtor(s)") by their attorney John J Lynch state as follows:

1. The Debtor filed a Chapter 13 bankruptcy petition on April 06, 2018.
2. The Debtor filed a Chapter 13 bankruptcy plan on April 06, 2018.
3. The current plan states the arrears for the real property located at 406 Cobblestone Court, Oswego, IL 60543 are \$24,000.00. Creditor has a secured claim with estimated arrears in the amount of \$46,331.69.
4. The Debtor understates the amount of the ongoing monthly mortgage payment to be paid to Creditor. The Debtor states the payment is in the amount of \$785.00. The ongoing monthly mortgage payment that should be paid to Creditor should be listed in the amount of \$786.64.

WHEREFORE, Creditor respectfully requests that this Court deny confirmation of Debtors' bankruptcy plan, and in addition, creditor hereby requests and moves this court to enter an order dismissing this Bankruptcy case as the Debtor has not met the obligations set forth and has failed to propose a confirmable Chapter 13 plan.

Dated: May 23, 2018

/s/ Ashley K Rasmussen
Potestivo & Associates, P.C.

Ashley K Rasmussen (6308095)
223 W Jackson Blvd., Suite 610
Chicago, IL 60606
Telephone: 312-263-0003
Main Fax: 312-263-0002
Cook County Firm ID #: 43932
DuPage County Firm ID #: 223623
Attorneys for Rushmore Loan Management Services,
LLC
Our File No. 108692
arasmussen@potestivolaw.com

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AFFIDAVIT OF SERVICE

I, Jennifer DeJaeghere, state that on the 23rd day of May 2018, I served a copy of the Objection to the Confirmation of the Plan and Affidavit of Service of same upon the below listed parties:

Patricia L. Drake
406 Cobblestone Court
Oswego , IL 60543

John J Lynch
Lynch Law Offices, P.C.
1011 Warrenville Road, Suite
150
Lisle, IL 60532

Patrick S Layng
Office of the U.S. Trustee, Region 11
219 S Dearborn St
Room 873
Chicago, IL 60604

Glenn B Stearns
801 Warrenville Road Suite 650
Lisle, IL 60532

By placing same in a well sealed envelope, by first class mail, with the proper prepaid postage thereon and depositing same in a United States Mail receptacle in the City of Rochester, State of Michigan to Debtor and via CM-ECF electronic filing to the Debtors' attorney and the Trustee and the U.S. Trustee.

/s/ Jennifer DeJaeghere
Jennifer DeJaeghere